



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/259,620	02/26/1999	JAMES Q. MI	INTL-0160-US	5503
21906 7590 04/30/2007 TROP PRUNER & HU, PC 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631			EXAMINER CALLAHAN, PAUL E	
			ART UNIT 2137	PAPER NUMBER
			MAIL DATE 04/30/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/259,620

Applicant(s)

MI ET AL.

Examiner

Paul Callahan

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 39-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 39-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claims 39-50 are pending in the instant application and have been examined.

#### ***Response to Arguments***

2. Applicant's arguments filed 2-6-07 have been fully considered but they are not persuasive.

The Applicant argues in traverse of the rejections of claims 39-50 by asserting that the prima facie case of obviousness has not been made. The Applicant asserts that the previous Office Action, mailed November 2, 2006, failed to set forth where Glasser, US 5,956,715, teaches the claim limitations of 1.) notifying a user of a second computer system of a first computer system's request for the second computer system to identify itself; and 2.) prompting the user to allow or deny the request.

The Examiner counters that the rejection of the claim used Claus, US 5,120,939 to teach the claim limitations of a notification step where a user of a second computer system is notified of a first computer system's request for the second computer system to identify itself (see for example col. 12 lines 5-28: Peer to Peer Authentication); and prompting the user to approve or deny the request (col. 10 lines 35-50). The Examiner concedes that Claus does not explicitly teach the step of using a visual prompt, however the Examiner maintains that Claus does teach the use of a prompt to approve or deny a request to identify the second computer system by virtue of the challenge number sent to the second computer. The user will approve the request for the second computer system to identify itself by calculating a response on the challenge number sent from

the first computer, the calculation being accomplished using the secret code stored in the second computer which is an identification number of the second computer (see col. 10 lines 35-50). Glasser, US 5,956, 715 was used only to teach the step of providing a visual prompt to a user of a second computer system to approve or deny a request sent from a first computer system, not to teach any of the specifics of the request. Glasser teaches the use of such a visual prompt in col. 4 lines 12-18, col. 7 line 40 through col. 8 line 40, and claim 35).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 39, 41-43, 45-47, 49, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Claus et al, US 5,120,939, in view Glasser et al., US 5,956,715.

As for Claims 39 and 42, Claus teaches a method comprising: receiving, over a global computer network (fig. 6), a request from a first computer system, remote from a second, coupled to the global computer network, for a second computer system coupled to the global computer network to provide an identification of the second computer

Art Unit: 2137

system (fig. 1, step 3, item 700); the second computer system then provides a hash value to the first computer system (fig. 2 step 4, element 563), the hash value being generated by encryption of a key associated with a first computer system with an identifier that identifies a second computer system (fig. 2, step 4, element 563). Claus teaches notifying the user of the second computer system of a request to identify the second computer system (, col. 10 lines 35-50, col. 12 lines 5-28). Claus fails to explicitly teach providing a visual interface on the second computer system to visually provide information to a user of the second computer system. Glasser does teach the provision of a visual interface on a second computer system, prompted by a request sent by a first computer system, where a user of the second system is prompted by a request from a first system to approve or deny a request (col. 4 lines 12-18, col. 7 line 40 through col. 8 line 40, claim 35). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature into the system of Claus. It would have been desirable to do so as administrator-controlled response to network requests allows for greater security in authentication protocols. Motive to make this combination is found, for example, in col. 1 line 45 through col. 2 line 2 where control of access to resources in a network is discussed. Claus teaches a database associated with the first computer (col. 12 line 5-44: "Peer to Peer Authentication", each computer has a database of secret codes)

As for Claim 41, Claus (fig. 6) teaches a networked environment in which two computers communicate via a public switched network and therefore the use of URL's

is taught. Since the only information shared between the two computers is  $E_2$ , the key necessarily indicates a web address.

As for Claims 43, 45 and 46, these Claims represent the computer program product embodied in a memory medium that when read out, cause the first and second computer systems to carry out the method of Claims 39, 41 and 42. Therefore Claims 43, 45, and 46 are rejected on the same basis as are Claims 39, 41 and 42.

As for Claims 47 and 50, Claus teaches a method comprising: receiving, over a global computer network (fig. 6), a request from a second computer system, remote from a first, coupled to the global computer network for the first computer system coupled to the global computer network to provide an identification of the first computer system (fig. 1, step 3, item 700); the first computer system then provides a hash value to the second computer system (fig. 2 step 4, element 563), the hash value being generated by encryption of a key associated with a second computer system with an identifier that identifies a first computer system (fig. 2, step 4, element 563). Claus fails to explicitly teach, in response to a request: providing a visual interface on the first computer system to notify a user of the first computer of the request and prompting the user to allow or deny the request. Glasser does teach the use of such a visual interface on a first system wherein a user of the first system is prompted by a request from a second system to approve or deny a request (col. 4 lines 12-18, col. 7 line 40 through col. 8 line 40, claim 35). Therefore it would have been obvious to one of ordinary skill in

the art at the time of the invention to incorporate this feature into the system of Claus. It would have been desirable to do so as administrator-controlled response to network requests allows for greater security in authentication protocols. Motive to make this combination is found for example, in col. 1 line 45 through col. 2 line 2 where control of access to resources in a network is discussed. Claus teaches a database associated with the first computer (col. 12 line 5-44: "Peer to Peer Authentication", each computer has a database of secret codes)

As for Claim 49, Claus (fig. 6) teaches a networked environment in which two computers communicate via a public switched network and therefore the use of URL's is taught. Since the only information shared between the two computers is  $E_2$ , the key necessarily indicates a web address.

5. Claims 40 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Claus and Glasser as applied to Claims 39, 43, and 47 above, and further in view of Lee et al., US 5,774,544.

As for Claim 40, Lee teaches the features of the claim that the combination of Claus and Glasser fail to teach, namely that an identifier that identifies the second computer system comprises a processor number (col. 1 lines 12-23). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature into the system of Claus and Glasser. It would have been

Art Unit: 2137

desirable to do so since, as stated by Lee et al. in the cited passage, using serial numbers identifying microprocessors allows for better tracking of a hardware component.

As for claim 44, the claim is directed to the computer program product embodied in a memory medium that when read out, cause the first and second computer systems to carry out the method of claim 40. Therefore claim 44 is rejected on the same basis as Claim 40.

6. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Claus and Glasser as applied to Claim 47 above, and further in view of Lee et al., US 5,774,544.

Lee teaches the features of the claim that the combination of Claus and Glasser fail to teach, namely that an identifier that identifies the first computer system comprises a processor number (col. 1 lines 12-23). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature into the system of Claus and Glasser. It would have been desirable to do so since, as stated by Lee et al. in the cited passage, using serial numbers identifying microprocessors allows for better tracking of a hardware component.



***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul E. Callahan whose telephone number is (571) 272-3869. The examiner can normally be reached on M-F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Emmanuel Moise, can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is: (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

Art Unit: 2137

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).



PEC

4-27-07



EMMANUEL L. MOISE  
SUPERVISORY PATENT EXAMINER